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Fifty-sixth session

SUMMARY RECORD OF THE 11th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 27 March 2000, at 3 p.m.

Chairman: Mr. SIMKHADA (Nepal)

later: Mr. RODRIGUEZ CEDEÑO (Venezuela)

later: Mr. JAKUBOWSKI (Poland)

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GE.00-12123 (E)

The meeting was called to order at 3.15 p.m.

STATEMENT BY MR. KHALAFOV, DEPUTY MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF AZERBAIJAN

1. Mr. KHALAFOV (Azerbaijan) said that the modern State of Azerbaijan had originated with the proclamation in 1918 of the Azerbaijani Democratic Republic. In April 1920, it had become a republic of the Union of Soviet Socialist Republics. It had subsequently been the first of those republics to gain independence in 1991. The first Constitution of an independent Azerbaijan, drafted with reference to fundamental international legal principles, had been adopted on 12 November 1995 following a national referendum. The rule of law, promotion of human rights and the establishment of democracy formed the basis of the internal and external policy of Azerbaijan.

2. Since independence, a series of legislative instruments, approved by the Council of Europe, had been adopted to promote human rights and implement constitutional provisions, and President of the Republic Heydar Aliyev had issued several decrees defining the Government's tasks. A national programme in the field of human rights and a Human Rights Research Institute had been established. The death penalty had been abolished.

3. The Republic of Azerbaijan had acceded to all the basic international treaties in the field of human rights. It had already submitted its initial reports to the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women; it had submitted its initial report to the Committee against Torture in November 1999. The Committee against Torture, in its concluding observations, and Amnesty International in its comments had said that, despite the difficulties encountered during the transition period, progress had been achieved in the formation of a democracy and the protection of human rights. At the same time, a number of problems and shortcomings in the field of human rights had been mentioned. Accordingly, the President of the Republic of Azerbaijan had on 10 March 2000 signed a directive "On measures in connection with the concluding observations of the Committee against Torture and the comments of Amnesty International on the initial report of Azerbaijan". A working group had been established to examine the facts reflected in the comments of Amnesty International. The Ministries of Justice, Internal Affairs, National Security and Defence had been entrusted with preparing and implementing concrete measures aimed at the prevention of human rights violations. The Supreme Court and the Office of the Public Prosecutor had been asked to take Amnesty International's recommendations into consideration. Azerbaijan's second periodic report to the Human Rights Committee was scheduled for consideration in 2000.

4. The Government of Azerbaijan was cooperating actively with the Commission on Human Rights and its bodies and Special Rapporteurs. Mr. Francis Deng, Special Representative of the Secretary-General on Internally Displaced Persons, had visited Azerbaijan in 1998, and Mr. Nigel Rodley, Special Rapporteur on torture, was expected to visit in 2000. The level of cooperation between Azerbaijan and the Office of the United Nations High Commissioner for Human Rights (OHCHR), in particular the implementation of a technical assistance project, gave cause for satisfaction. The Government of Azerbaijan was also cooperating with the Council of

Europe, of which it hoped to become a full member in the near future, and the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE), with which a memorandum of understanding had been signed in 1998.

5. Azerbaijan was a multi-ethnic country, and the Government took the necessary measures to ensure that persons belonging to minorities enjoyed the same rights and the same opportunities to participate in all of the country's spheres of activity as other citizens. Nearly all world religions were represented and freely practised in Azerbaijan.

6. The Government was still deeply concerned over the fate of Azerbaijanis expelled from their lands on the territory of present-day Armenia. In 1918, 575,000 Azerbaijanis, or over one third of the total population, had been living in that territory. As a result of the Armenian Government's policy of forced eviction, there was not a single Azerbaijani left in Armenia. The main obstacle to the development of Azerbaijan was the policy of aggression by neighbouring Armenia. That policy had led to gross and massive violations of international humanitarian law which fell into the category of crimes against humanity. Despite four resolutions adopted in 1993 by the United Nations Security Council, condemning the occupation of the territory of Azerbaijan, reaffirming the inviolability of the borders of the Republic of Azerbaijan and demanding the immediate and unconditional withdrawal of all occupying forces from the occupied areas of Azerbaijan, Armenian armed forces continued to hold Azerbaijani territory. There were 1 million refugees and displaced persons in Azerbaijan out of a total population of 8 million, which created a complicated humanitarian situation in the country.

7. The Government of Azerbaijan believed that "frozen" conflicts were no less tragic than those to which the international community paid "paramount" attention. It was inadmissible for one fifth of the territory of a sovereign State Member of the United Nations to remain under foreign occupation and for one of every eight of its citizens to be a refugee or displaced person. He called on the international community to be more active in seeking a peaceful settlement of the armed conflict between Armenia and Azerbaijan.

STATEMENT BY MR. SAMI, FOREIGN SECRETARY OF BANGLADESH

8. Mr. SAMI (Bangladesh) said that respect for human rights was deeply rooted in the history and society of Bangladesh. The war of independence fought 29 years before had been a struggle for the fundamental freedoms of the Bangladeshi people. Upholding respect for human rights was a priority of the present Government. Courageous steps had been taken to raise the people's awareness of human rights and to institutionalize human rights values in society: the establishment of a National Human Rights Commission was in its final stages and the Women and Child Repression Act had recently been promulgated. The active participation of Bangladesh in United Nations peacekeeping operations reflected the Government's determination to promote and defend the cause of global peace and human rights.

9. One of the Government's most significant achievements had been the repeal of the Indemnity Act, which had provided impunity for those who had violated the right to life of the founding father of the nation and members of his family. The Act, which had taken the form of an amendment to the Constitution, had been a dark chapter in the country's history and an affront to the values of human rights. The perpetrators had subsequently been tried and convicted.

Unfortunately, some of them had fled abroad. Violators of human rights should not be allowed to evade justice or be given refuge in any country committed to the rule of law and human rights. The efforts of the Government of Bangladesh to bring those criminals to justice deserved the support of the international community.

10. Turning to the right to development, he noted that the rights set forth in article 25 of the Universal Declaration of Human Rights remained beyond the reach of the majority of the world's population. It was unacceptable for millions to die of hunger and lack of basic health care while unbridled consumption continued elsewhere and billions of dollars were spent on the arms trade. The problem was not one of inadequate global resources but one of inequitable distribution. It should be addressed in all its complexity under the broad heading of the right to development. Happily, the right to development was recognized as a universal and inalienable right, but a collective commitment to implement it was still lacking.

11. There was no doubt that Governments had prime responsibility for promoting development and ensuring the well-being of their citizens. However, for most nations, particularly the 48 least developed countries, creating basic conditions of development for the effective promotion and protection of human rights remained a daunting challenge. It was therefore urgent for national efforts to be supplemented by international cooperation and for the international community to create a favourable economic environment, in particular by raising the present low level of official development assistance. Global development partnership should not be seen as a unilateral act of charity or a simple reflection of global solidarity, but as a measure of mutual interest. In an increasingly interdependent world, it was particularly important to ensure that the process of globalization did not contribute to increased inequality.

12. Bangladesh was convinced of the need to work towards balanced and sustainable development. Its poverty alleviation programme was based on the strategies of higher growth, higher investment in social sectors, income generation and employment creation programmes and the establishment of social safety nets for the most vulnerable groups. It also focused on human resources development, participatory planning and empowerment of women. Experience had shown that the most effective approach to poverty alleviation was empowerment of the people. Success in micro-credit initiatives through multisectoral and multidisciplinary programmes attested to that. Prime Minister Sheikh Hasina had taken the initiative of launching a movement called Ashrayan, dedicated to meeting the needs of the poorest of the poor and providing shelter to every person in Bangladesh within the next five years. Government investment in social sectors in the development programme had risen to 40 per cent, which was beyond the 20/20 initiative agreed at the Copenhagen Summit. Education, focusing on the girl child, had been given the highest allocation in the national budget.

13. The Government also believed that development policies must involve the participation of all segments of society in order to succeed. To that end, the Prime Minister had taken the courageous step of reaching out to the tribal population of the Chittagong Hill Tracts and creating conditions enabling them to exercise their cultural and religious rights. The historic peace treaty between the Government and those groups had brought an end to decades of armed violence. The Chittagong Hill Tracts had become a region of peace and tranquillity, and development activities had resumed.

14. He commended the United Nations High Commissioner for Human Rights for her personal commitment to the effective implementation of the right to development. The Sana'a Workshop organized by the High Commissioner's Office in February had drawn some important conclusions requiring urgent attention. Mechanisms should be envisaged for monitoring progress in implementing the right to development. The right to development should also be codified in an international instrument. The open-ended working group on the right to development was in the best position to initiate constructive discussions on the subject.

THE RIGHT TO DEVELOPMENT (agenda item 7) (continued) (E/CN.4/2000/19, 20 and 21; E/CN.4/2000/NGO/54, 70, 99 and 123)

15. Mr. NDIAYE (Senegal) noted that Article 55 of the Charter of the United Nations established a link between peace, international security, economic development, social progress and enjoyment of human rights. The increasing imbalance between the breakthroughs achieved in the sphere of political democratization and the tentative progress achieved in the economic, social and cultural area had led to the General Assembly's adoption in 1986 of the Declaration on the Right to Development, which was in keeping with the vision of the founding fathers of the United Nations. The culmination of studies on the various aspects of the right to development had been the World Conference on Human Rights, held in Vienna in 1993, which had proclaimed the right to development an inalienable and universal right of the human person. Since then, working groups of the Commission had examined the scope of that right, the means of achieving it and the obstacles which lay in its path, with varying degrees of success.

16. Despite the progress achieved, it was evident that economic, social and cultural rights, including the right to development, received unequal interest and inappropriate treatment. The essential concept of the interdependence and indivisibility of human rights was far from being applied. As everyone knew, millions of men, women and children suffered because their human dignity was not recognized. The implementation of the Declaration on the Right to Development, the very symbol of the right to solidarity, should be a crucial catalyst for fruitful international cooperation. Although it was incumbent on each State to provide guarantees for exercising the right to development, at the international level the right to development reflected the concept of solidarity, shared responsibility and successful partnership.

17. According to UNESCO, the right of every human being and group to full development implied equal access to the means of personal and collective advancement and fulfilment. That being the case, the basic criteria for evaluating the implementation of the Declaration on the Right to Development should be, at the domestic level, participation, equality, access to goods and services and higher standards of living, and at the international level, equity, solidarity, the integration of the developing countries into the global economy and their access to markets, technology and funding sources. Globalization had fostered a common perception of certain problems, but it had also weakened and/or marginalized many countries by strengthening obstacles to their development. It was therefore more important than ever to stress the human side of globalization.

18. The Government of Senegal had constantly fought for a universal approach to human rights. It had to be acknowledged, however, that the universal approach had not always met the developing countries' expectations. It had not yet effectively integrated the global aspect of

human dignity, which was not merely a question of proclaiming the civil and political rights of men, women and children living below the poverty threshold. Senegal called for a consensual vision of human rights and reaffirmed its determination to work towards the implementation of the Declaration on the Right to Development. It supported United Nations efforts to that end, in particular those of the working group of the Commission on Human Rights established to monitor and review progress made in the promotion and implementation of the right to development, chaired since 24 February 2000 by Ambassador Dembri of Algeria. He reiterated his country's support for the principles and objectives of the Vienna Declaration and Programme of Action and its commitment to the threefold goal of human rights, democracy and development, in favour of a world of peace, justice and solidarity.

19. Mr. CHATTY (Tunisia) said that a consensus on the issue of the right to development had finally been achieved in the 1993 Vienna Declaration and Programme of Action, which stated that the right to development was a universal and inalienable right which was an integral part of fundamental human rights. However, the implementation and enforcement of that right were far from being met; they encountered numerous obstacles, as shown by the two expert groups established by the Commission in 1993 and 1996. The right to development was of no significance to the 1.5 billion people living in desperate poverty, whose existence represented a denial of the basic rights to health, education and housing and an affront to human dignity.

20. The question of the right to development was more urgent than ever, as economic globalization, while offering countries new opportunities, also increased the problems inherent in interdependence and the risks of instability. Globalization must be made into a tool to serve development, and its advantages must be distributed fairly. Those goals could be reached through the establishment of a fairer international economic order and the promotion of more effective international cooperation.

21. Tunisia had focused its efforts on achieving a people-based global development, which had enabled it to raise its citizens' standard of living. Average per capita income had risen from 927 dinars to 2,422 dinars between 1994 and 1998, the middle class accounted for 60 per cent of the population, the poverty index had been brought down from 13 per cent to 6 per cent between 1980 and 1995, the literacy rate was 99 per cent for both sexes and primary education was compulsory and free. Special attention had been given to strengthening the spirit of solidarity. A national solidarity fund had been established to assist disadvantaged areas and combat poverty. A national solidarity bank promoted small projects and offered loans to young entrepreneurs. A new microcredit system had been established to help people with small means begin income-generating projects. Lastly, a national employment fund had recently been established.

22. In August 1999 President Ben Ali had launched an appeal to the world's leaders and the various United Nations bodies and inter-Arab organizations for the establishment of a world solidarity fund. The fund would be supplied through gifts and voluntary contributions and would be used to finance action to combat poverty and promote the development of the most disadvantaged regions, in particular in the poorest countries. The Council of Ministers of the Organization of African Unity (OAU), meeting from 8 to 10 March 2000 at Addis Ababa, had invited the member States of OAU, the international financial institutions and international civil society to support that idea and look ir .o ways of establishing the fund.

23. Mr. MAHMOUD (Sudan) said that the principles and objectives set forth in the Charter of the United Nations closely linked economic conditions, social advancement and development with respect for and promotion of human rights and fundamental freedoms. Consequently, it was intellectually dishonest to speak of free humanity protected from want, disease and ignorance in the absence of adequate conditions enabling every individual to enjoy social and economic rights together with civil and political rights.

24. All rights were interdependent and inalienable and could not be subject to selectivity. In an era of globalization, the issue of the right to development should be tackled in the broader context of current economic realities in all their manifestations. It was no exaggeration to say that developing countries, in particular the least developed, risked further marginalization and exclusion, as the globalization of economy and trade highlighted their limited capacity to compete. The time had come for the developed countries and the international financial institutions to take decisive measures to end those countries' misery and help them realize their legitimate right to development before it was too late. The persistent inequality of income distribution between developed and developing countries did not augur well for the future of human rights, especially the right to development. Justice in the distribution and sharing of the benefits of globalization was a practical necessity for sustaining a stable global economy. The developed countries must demonstrate a genuine political will to break the vicious circle of poverty and backwardness of the poor countries through extensive investments in education, health and infrastructure. It was only through such measures that those countries would attain their right to development and contribute to the global economy. Growth of the global economy could not continue unaffected by the social and political dislocations likely to arise because of current contradictions. In order for human rights to be respected and protected, all people must be guaranteed the enjoyment of those rights without discrimination. In particular, the poor in the poorest countries must be given access to clean water, decent housing, roads, electricity, schools and hospitals.

25. There was one important challenge before the international community: how to translate human rights as a noble concept and dream into reality. Only 4 per cent of the wealth of the richest 225 people in the world would cover basic needs and social services such as health, education and food for all people on the globe. Only when that challenge was overcome would talk about human rights become meaningful.

26. Mr. ZAFERA (Madagascar) said that, 50 years after the adoption of the Universal Declaration of Human Rights and 15 years after the adoption of the Declaration on the Right to Development, millions of people throughout the world were still living in absolute poverty. Although it was true that the primary responsibility for achieving the right to development lay with States, it should be borne in mind that the world was divided between developed countries with enormous economic and technical advantages at their disposal and developing countries facing a host of social and economic problems. In the least developed countries, those problems were becoming so serious that States could not fully meet their obligation to promote and protect human rights. The natural disasters which often befell certain countries, such as Madagascar, with dire consequences that sorely tested the best development policies and desire for good governance, were compounded by the foreign debt, which destroyed all development efforts, the decline in official development assistance, insufficient access to capital and technologies and the consequences of economic globalization. Under those conditions, it was foolish to think that the

efforts of those economically vulnerable countries alone would lead to a prompt realization of the right to development. The implementation of the Declaration should aim at overcoming the various obstacles and reducing the inequalities between and within nations which gave rise to tensions and social conflicts.

27. Given the close links between peace, development and human rights, all nations had an overriding interest in strengthening multilateral cooperation and working towards the introduction of an equitable, just and balanced international society. It was accordingly important to take adequate measures at both the national and international levels. At the national level, Governments should adopt appropriate development strategies broadly based on respect for fundamental human rights and involving the participation of all sectors of civil society, including the most vulnerable. At the international level, the United Nations must strengthen its action. In that connection his delegation expressed its appreciation to OHCHR for its contribution to the work of the Commission through its report on its activities relating to the right to development (E/CN.4/2000/20). The establishment of an open-ended working group on the right to development also represented an important step towards the implementation of the Declaration. His delegation also welcomed the fact that Ambassador Dembri of Algeria had been chosen to Chair the group's work, which would no doubt be stimulated by the Ambassador's vast experience of such issues.

28. Mr. AL-THANI (Qatar) noted with appreciation the importance attached by the Commission to the right to development and its efforts to encourage countries to take the measures needed to eliminate obstacles to the full realization of that right. Close cooperation was needed among all actors, both nationally and internationally, to that end.

29. Qatar believed that the right to development should be set forth in a legal instrument, and thereby be made compulsory, as it was not yet receiving all the attention it deserved, despite the fact that the international community had recognized it as an integral part of fundamental human rights and recognized its own duty to protect and strengthen it; however, civil, political, economic, social and cultural rights could not be fully realized without sustainable and balanced development. The developing countries' economies should accordingly be strengthened, and they should be provided with the assistance they needed to avoid marginalization. The globalization of the economy was forcing those countries to restructure and to adopt economic policies which widened the gap between North and South. Globalization must not take place at the expense of the developing countries. The developed countries must also aid the developing countries to cope with the disastrous consequences of the economic adjustment policies resulting from the problem of the foreign debt, which still represented an obstacle to the right to development.

30. Qatar had taken measures to foster the balanced development of all the sectors of its population and create an environment conducive to the achievement of the right to development and a decent life for all. An economic and political programme had also been established to achieve those objectives.

31. Ms. KUNADI (India) said that despite the efforts of the international community, the right to development as set forth and reaffirmed in several instruments, in particular

the 1986 Declaration, was far from achieved. According to the latest Human Development Report, 60 countries of the world had been becoming steadily poorer since 1980 and nearly 1.3 billion people lived on less than $1 a day.

32. Essential ingredients for an early realization of the right to development were the adoption of an integrated approach to all rights, as embodied in the Declaration on the Right to Development and the Vienna Programme of Action, acknowledgement of the right to development as a fully developed right, and acceptance of the fact that democracy and development were both essential to the full enjoyment of human rights and human dignity. The right to development also required the participation of everyone, especially women, in all aspects of society. It should be borne in mind that there was a critical link between development and the ability of peoples to enjoy fully the rights enshrined in the Universal Declaration of Human Rights. The right to life and liberty remained the basic right of all peoples, including the right to live with dignity and all that implied. While States had the primary responsibility for creating national and international conditions favourable to the realization of the right to development, human solidarity could reverse the increasing marginalization of a large part of humanity. In accordance with the Declaration on the Right to Development, States had not only the right and duty to formulate appropriate national development policies, but also the duty to cooperate with each other in eliminating obstacles to development. They should also fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation among all States. Suitable steps must be taken to strengthen international cooperation for the realization of the right to development.

33. Her delegation was pleased to note that the working group on the right to development had elected Ambassador Dembri of Algeria as its Chairman and it thanked the independent expert for his study on the implementation of the right to development (E/CN.4/1999/WG.18/2). It hoped that the working group would progress in its work and that OHCHR would intensify its activities on the promotion of economic, social and cultural rights and the right to development.

34. India, for its part, had taken measures to that end. Particular emphasis had been placed in the budget for the financial year 2000-2001 on strengthening the foundations of growth of the rural economy, human resource development, universalization of primary education, improvement of women's and child health and a review of all existing legislation and Government schemes established to enhance the role of women in the national economy. At the international level, despite its resource constraints India provided approximately 5 billion rupees annually for technical and economic cooperation with developing countries.

35. Mr. FERRER RODRIGUEZ (Cuba) said that, since the adoption of the Declaration on the Right to Development and the reaffirmation in 1993 by the Vienna World Conference on Human Rights of the human person as the central subject of development, the actual situation was virtually unchanged. The gap in income level between the rich and poor countries had increased steadily. While 20 per cent of the world's population lived in affluence in the developed countries, most of the inhabitants of the developing countries lacked sanitation or decent housing and had no access to clean water or basic health care. At the same time, the United States and Europe spent fortunes on cosmetics, perfume, pet food, medicine and weapons. Yet 20 per cent of the sums spent would resolve the world's education, health, nutrition and water problems, and 40 per cent all its other problems, including housing. To that

end, the developed countries must first increase their official development assistance, which was on the decline and represented only 0.2 per cent of their GDP. The foreign debt of all the developing countries without exception should be cancelled, but that would be to no avail if those countries were unable to sell the fruit of their labours.

36. If the will existed to eliminate hunger, epidemics, illiteracy, unemployment and underdevelopment from the world, the developed countries must respect their commitment to devote 0.7 per cent of their GDP to official development assistance, equitable economic relations and an international environment conducive to development must be established and the transfer of scientific and technological knowledge must be ensured. In addition, the current structure of distribution of wealth must be reformed, the international financial system must be democratized so as to reflect present-day realities and the structural adjustment programmes must be ended. Such measures required the firm political will of the developed countries.

37. It was also essential for all States to refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations that created obstacles to trade relations among States and impeded the full realization of human rights, as repeatedly requested by the Vienna World Conference, the General Assembly and the Commission. Yet in defiance of the international community, the United States was applying unilateral economic sanctions against approximately 30 countries which represented 42 per cent of world population. In particular, it had for 40 years been imposing an unjust and criminal economic, commercial and financial blockade on Cuba. The working group on the right to development and the Commission mechanisms should examine without delay the adverse consequences of unilateral measures of that type, as well as effective measures for ending, immediately and unconditionally, such large-scale, systematic and gross violations of the human rights of entire peoples.

38. Mr. KANAVIN (Norway) said that there had been a growing understanding over the past decade of the role human rights could and did play in development. That trend built on three essential elements, namely the central concept of the universality of human rights, the holistic approach to human rights as being interdependent and a recognition of the challenges and opportunities posed by globalization, conditions for development being a result of the international framework in addition to national policies. That trend included an applied focus on poverty through the adoption of concrete policies at the national level, the strengthening of official development assistance, and the use of human rights as a tool for development.

39. Much knowledge had been acquired about development through the many studies on the subject. The study of the independent expert on the implementation of the right to development formed a useful basis for the future work of the working group on the right to development, but there was a need to develop that knowledge, and, especially, to convert it into concrete action at both the national and international levels. The implementation of human rights would provide the means of doing so.

40. In order to improve the situation, each country must first promote human rights at home while encouraging others to do the same. To that end, the Government of Norway had developed a National Plan of Action for Human Rights aimed at protecting human rights in many areas of Norwegian society. Second, a holistic approach must be taken, which addressed

economic, social and cultural rights on an equal basis with civil and political rights. The Government's Plan of Action was based on that approach. In addition, its development cooperation would continue to give priority to combating poverty.

41. Thirdly, efforts should be made to correct flaws or malfunctions in the international social and economic order. The Government of Norway would continue to pursue debt relief and other initiatives which in themselves contributed to the right to development. In that connection it welcomed the continued implementation of the memorandum of understanding between OHCHR and UNDP and encouraged the High Commissioner to pursue a strategy for participation in the Comprehensive Development Framework. Fourthly, States must accept once and for all that respect for human rights was also good for business. Business communities, trade unions, human rights NGOs, academic circles and various governmental agencies in Norway were engaged in a fruitful discussion of the roles and responsibilities of international business in the promotion and protection of human rights. Their work was based on the understanding that business constituted an important "organ of society" in the meaning of the Universal Declaration of Human Rights.

42. Finally, States must place their solidarity first and foremost with the individual, whose rights and freedoms must be the basis for its policies and practice. The individual was the focus of attention in Norway's human rights work at home and abroad, in accordance with the principle that development cooperation was a matter of justice rather than charity. Recognition of that fact might serve as an incentive for greater participation by marginalized groups in the development process, which was of vital importance for fostering genuinely sustainable development.

43. His delegation welcomed the appointment of Ambassador Dembri as Chairman of the new working group on the right to development. It hoped that the group would make speedier progress and shared the view that the resolution on the right to development should be of a more procedural nature than the resolution adopted at the previous session.

44. Mr. MAJDI (Morocco) said that, despite the declarations and resolutions adopted by various United Nations bodies, little real progress had been made in realizing the right to development. In his country's view, the right to development should not be the subject of rhetoric and incantation. On the contrary, it should be approached on a pragmatic and innovative basis.

45. The gap between the richest and poorest countries was growing steadily wider. According to UNDP, 1.3 billion people were living on less than $1 a day while in the OECD countries annual per capita income had broken the $25,000 mark. In Africa, the annual growth rate had decreased from 3.6 per cent in the 1970s to 1.8 per cent in the 1980s and was currently at 1.9 per cent. Official development assistance, which should be one of the key components of solidarity between States, had dropped in real terms by approximately 20 per cent since 1992.

46. There was no doubt that responsibility for the realization of the right to development lay with States. In fact, good governance had been at the core of all discussions of the right to development in recent years. For Prime Minister El Youssoufi, professionalism was not only necessary for highlighting management capacities, but was also a basic prerequisite for the

establishment of a responsible, transparent and effective administration which respected the laws and took responsibility for its acts. However, the developing countries' efforts would not be successful in the absence of a favourable world environment and strong support from the international community. Decrease in foreign investment, deterioration of the terms of trade and the growing number of trade obstacles were so many factors which hindered the third world countries' development.

47. Realization of the right to development required a strategy based on mutual respect of nations and on more coherent, democratic and equitable national and international economic, commercial and financial policies and structures.

48. Mr. Rodríguez Cedeño (Venezuela) took the Chair.

49. Ms. MLANGENI (Swaziland) recalled that the various United Nations bodies had repeatedly underlined the fact that the realization of the right to development required effective development policies at the national level as well as equitable economic relations and a favourable economic environment at the international level. Since the beginning of the 1990s emphasis had also been placed on reduction of poverty, which inhibited the full enjoyment of human rights. However, official development assistance was declining while globalization was increasing poverty and the social exclusion of the poor, who accounted for half the inhabitants of the planet.

50. The struggle to eradicate poverty in Swaziland was exacerbated by the tragic human, economic and financial consequences of the HIV/AIDS pandemic, which the King had declared a national disaster. To that end the Government, within its National Development Strategy, had substantially increased the health budget and taken a multisectoral approach to combating HIV/AIDS. The task that lay ahead was to mobilize resources for implementing the Strategy.

51. The ever-widening gap between the developed and developing countries resulted in the exclusion of the latter from the benefits of globalization. International cooperation should therefore be strengthened, to support the efforts of developing countries to resolve their social and economic difficulties. Experience had shown that with the necessary political will goals could be achieved. Strategies such as the Heavily Indebted Poor Countries Debt Initiative were good examples of international cooperation and should be continued. All actors of the international community should work to enforce economic, social, cultural, political and civil rights within their spheres of influence. The developing countries, for their part, had adopted a series of legislative, budgetary and social measures to that end and should continue to undertake reforms.

52. At the United Nations level, Swaziland appreciated the work of OHCHR, the independent expert on structural adjustment policies and the Special Rapporteur on foreign debt. In that connection, there should be a clearly defined arrangement on how donor countries could effectively play their role in a predictable and sustained manner.

53. Mr. PADILLA MENENDEZ (Guatemala) said that his delegation had found the programme for the realization of the right to development proposed by independent expert

Arjun K. Sengupta in his study on the implementation of the right to development (E/CN.4/1999/WG.18/2) to be very interesting. In it the independent expert noted that several United Nations conferences had reaffirmed the fact that civil and political rights and economic, social and cultural rights were an indivisible and interdependent group of human rights which must be achieved together. Unfortunately, that commendable political consensus had not become a reality. The ideas currently in favour were those of the "Washington consensus", namely that development would be the natural result of the liberalization of trade and the opening of the rich countries' markets to the developing countries' exports, that it was sufficient to make the poor countries competitive, apply IMF structural adjustment programmes correctly and privatize inefficient and badly managed public enterprises to attract foreign investment.

54. That policy had proved useful in balancing national budgets, curbing inflation, increasing exports and attracting investment in certain countries. However, it was not a way of achieving either equitable social and economic development or sustainable human development. To attain those objectives, as noted by the Nobel prizewinner Amartya Sen, it was necessary to invest in areas such as education and health. In that connection, the High Commissioner for Human Rights should continue her dialogue with the IMF and the World Bank, in which UNCTAD, ILO, WHO and the functional commissions of the Economic and Social Council should also take part.

55. In the chapter of the report entitled "A programme for the realization of the right to development", the independent expert proposed an international compact to implement the rights to food, primary health care and primary education. All the signatories to the agreement must take on the obligation not only to fulfil those rights for citizens of their own State, but also to provide the necessary assistance and create the necessary conditions for their fulfilment in other States. In their joint report, the Special Rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights, Mr. Reinaldo Figueredo, and the independent expert on the effects of structural adjustment policies on economic, social and cultural rights (E/CN.4/2000/51) wisely proposed debt relief in exchange for social investment, especially in education through scholarship programmes and programmes to eliminate the worst forms of child labour.

56. He hoped that the independent expert's proposals would lead to appropriate funding policies at both the multilateral level (World Bank and regional development banks) and the bilateral level (official development assistance).

57. Mr. SUTOYO (Indonesia) referred to article 1 of the Declaration on the Right to Development, whereby the right to development was a universal and inalienable right. The responsibility for realizing the right to development was shared by individuals, Governments and the international community.

58. His Government strongly believed that the human person should be the central subject of development policies. It sought to facilitate the transformation of democracy from electoral into participative democracy which would make visible the marginalized, excluded and the forgotten. It faced a huge challenge due to the effects of the previous regime's policies and the economic crisis which had hit Indonesia a few years earlier. However, it was confident that dedicated efforts would make it possible to overcome those difficulties.

59. At the international level, globalization had increased the risk of marginalization of the developing countries, which required equitable economic relations and a favourable economic environment in order to achieve the right to development. Extreme poverty inhibited the full and effective enjoyment of human rights. It was in fact one of the main causes of human rights violations. Therefore, the alleviation of extreme poverty must remain a high priority of the international community.

60. The Declaration on the Right to Development stipulated that all States had the duty to cooperate with each other in ensuring development and eliminating obstacles to it. In that connection, his delegation noted the ongoing efforts by the various United Nations bodies and the Regional Workshops on the Right to Development and on Economic, Social and Cultural Rights, held respectively in 1999 in New Delhi, India, and only one month earlier in Yemen.

61. His delegation also attached great importance to the effective functioning of the inter-sessional working group on the right to development, and hoped that it would be able in the near future to identify the key elements of a development strategy.

62. Mr. MICHELENA (Venezuela) said that the right to development was a universal and inalienable human right and an integral part of fundamental human rights, played a key role in the stability of democratic Governments and fostered citizens' participation. There was accordingly a need to adopt a new development strategy which was not aimed solely at growth in GDP but which placed human beings at the centre of development. With that in mind, the Government of President Hugo Chávez Frías had taken a series of concrete measures aimed at strengthening the concept of citizenship and participation, respect for human rights, good governance and action to combat corruption. The objective of the Government's human development strategy was to reduce poverty and social exclusion.

63. All States comprising the international community should also work towards the right to development. However, groups of developed nations were adopting policies which limited developing countries' access to their markets or which ruined the agro-industrial sectors of the weakest countries by subsidizing their own exports. Foreign debt and structural adjustment were also obstacles to third world countries' development. The working group on the right to development should define the contents and scope of that right and the responsibilities of the States which must implement it. His delegation supported the working group's efforts, under the chairmanship of Ambassador Dembri, to fulfil its task in a spirit of cooperation and consensus.

64. Mr. Jakubowski (Poland) took the Chair.

65. Mr. THAKUR (Nepal) said that he was happy to note that concept of the right to development had been given concrete form with the election of Mr. Dembri as Chairman of the working group. Achieving that right required joint efforts by States, international organizations and other organs of civil society. States should take measures to ensure that disadvantaged groups had access to productive assets such as land, credit and means of self-employment. For their part, the rich countries and the international organizations should develop programmes in terms of the basic needs of developing countries rather than impose priorities set by donors.

66. Development strategy, in the form of a compact between donor countries, financial institutions and developing countries, should realize five basic rights: the rights to food, primary health care, education, safe drinking water and shelter. Those five rights were very close to the most basic human right, the right to life.

67. Globalization of the world economy and extension of market rules provided opportunities, but also ran the risk of marginalizing the least developed countries through the decline in foreign aid, rise in their foreign debt burden and decrease in their export capacity. The LDCs now numbered 48, as opposed to 42 in the 1990s.

68. Since the late 1980s Nepal had worked towards identifying six priority areas to be developed: food, drinking water, health, education, shelter and security. Its Constitution, which enshrined a multi-party democracy, had since 1990 recognized the values of human rights, development and democracy. Nepal was a party to 16 human rights instruments and remained fully committed to the protection and promotion of the human rights of its citizens.

69. His delegation urged all countries to reconsider their development programmes in the light of the right to development and urged all donor countries to give priority to the areas he had mentioned. It would also be useful to establish common indicators on the right to development in order to assess the performance of both donors and recipients. Donors needed to fulfil their commitments and recipients must strive for transparent and accountable governance with the full realization that human rights and development were complementary.

70. Mr. MENDIS (Sri Lanka) said that, despite repeated references to the inalienable right to development, action in that sphere had hardly progressed. A range of obstacles to the realization of that right persisted at both the national and international levels, as described in the report of Mr. Sengupta, the independent expert of the Commission (E/CN.4/1999/WG.18/2). An intergovernmental forum was needed further to discuss the many aspects of the realization process.

71. While the industrialized nations had reconstructed their economies after the Second World War, the developing countries lagged behind. Despite advances in science, many of them were still in a critical situation. Yet most of the world's population lived in developing nations. Sri Lanka, for its part, invested in human resources, education, social welfare and health care as a matter of priority. It had launched a national programme to achieve development at the grass-roots level by promoting capacity-building and entrepreneurship at the family level.

72. Yet national action could not make the right to development operational without a supportive external environment. He commended the High Commissioner for Human Rights for her efforts to create awareness and mobilize the political will of the international agencies to facilitate that environment. His delegation also welcomed the study of the independent expert, Mr. Sengupta, on progress in the implementation of the right to development (E/CN.4/1999/WG.18/2). The study and the report of the Sub-Commission on the Promotion and Protection of Human Rights on the impact of globalization on human rights would provide the working group on the right to development with valuable material. His delegation hoped that the joint efforts of the working group and the High Commissioner would lead to a cohesive and goal-oriented programme on the right to development.

73. Mr. SFEIR-YOUNIS (World Bank) said that interaction between the World Bank and the Commission was crucial given the relationship between economic policy-making and the achievement of human rights.

74. Implementing the conventions and resolutions adopted by the Commission and the numerous United Nations global conferences was a difficult challenge for countries with limited resources, especially as macroeconomic management approaches must be reconciled with social concerns. For its part, the World Bank had focused its efforts on the eradication of poverty. To that end, in consultation with countries and other institutions, it had designed a Comprehensive Development Framework (CDF), aimed at striking a balance between the economic and financial considerations of development and its social aspects. The CDF was based on three principles: country ownership of development programmes, with support but not interference by foreign donors; partnerships at all levels of the decision-making process; and the adoption of a long-term development approach.

75. The World Bank was in a unique position to contribute to development through policies and programmes aimed at enhancing countries' human capital, while participating actively in the implementation of policies defined by United Nations global conferences. The Bank cared about human rights and was committed to assisting developing countries in the creation of an enabling environment for the realization of everyone's rights and freedoms, especially those of the disadvantaged classes, women, children and indigenous peoples. The Comprehensive Development Framework was designed to blend economic objectives and cultural, social and political objectives.

76. The world was witnessing a major change in the development paradigm. The focus had shifted from growth and production issues to equity and distribution. Development must be based on an ethic that viewed human rights as a central, rather than subsidiary, element of economic policy.

77. Mr. RAID (Observer for Iraq) said that the realization of the right to development was impeded by many obstacles, often created by wealthy States which sought to serve their own interests above all. Those obstacles were aggravated by the economic sanctions and coercive measures imposed by the Security Council on certain States, especially developing States. Iraq was such an example. The economic sanctions ordered by the Security Council had led to the collapse of the economy. Iraq was forbidden to use its own natural resources, particularly oil, which constituted the country's major source of revenue. That situation had appalling consequences for its population, especially regarding access to food and medicine, and had already claimed the lives of more than 1 million Iraqis. In addition, the military offensive against Iraq in 1991 had destroyed the country's industrial, agricultural, scientific and cultural foundations, the reconstruction of which would take decades. The aggressors had used large amounts of depleted uranium in their offensive, causing serious diseases and an increase in the mortality rate.

78. His delegation called on the Commission to put a stop to the genocide against his people created by the unfair economic sanctions.

79. Mr. BELIZ (Observer for Panama), speaking on behalf of the Group of Central American Countries, asked that the open-ended working group on the right to development should meet as soon as possible, and in any case not later than September 2000. He endorsed the proposals of the independent expert, Mr. Sengupta, in the study on progress in the implementation of the right to development (E/CN.4/1999/WG.18/2), especially the idea of an international compact between the Governments of the developing countries and the donor countries and international financial institutions to implement the rights to food, primary health care and primary education.

80. The Group of Central American Countries also welcomed the joint report of the independent expert on structural adjustment policies and the Special Rapporteur on foreign debt (E/CN.4/2000/51). It found particularly interesting the proposal for the cancellation of the debt of those countries which had been the victims of serious humanitarian disasters, such as Zambia, Nicaragua, Honduras and Mozambique, and the idea of linking debt relief to school scholarship programmes.

81. The Central American countries believed that the time had come for action to realize the right to development. They invited the Bretton Woods institutions to consider the two special rapporteurs' proposals carefully.

The meeting rose at 6 p.m.